

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GS HOLISTIC, LLC,

Plaintiff,

v.

VAPE SAVVY LLC, et al.,

Defendants.

CASE NO. C23-0411JLR

ORDER

Before the court is Plaintiff GS Holistic, LLC's ("GS Holistic") motion for entry of default against Defendants Vape Savvy LLC ("Vape Savvy"), Eric Ward, and Jason Stanifer. (Mot. (Dkt. # 13).) The court grants GS Holistic's motion with respect to Vape Savvy and Mr. Stanifer and defers ruling on the motion with respect to Mr. Ward.

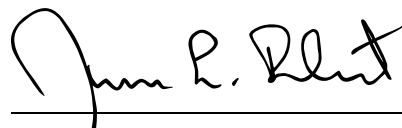
The record shows that GS Holistic served Vape Savvy on April 14, 2023, through its registered agent, Defendant Todd Wilson,¹ and personally served Mr. Stanifer on

¹ GS Holistic voluntarily dismissed its claims against Mr. Wilson on June 19, 2023. (6/19/23 Notice (Dkt. # 9).)

1 August 27, 2023. (4/14/23 Aff. (Dkt. # 11); 8/27/23 Aff. (Dkt. # 12).) Because neither
2 Vape Savvy nor Mr. Stanifer have answered or otherwise responded to GS Holistic's
3 complaint (*see generally* Dkt.), the court GRANTS the motion in part and DIRECTS the
4 Clerk to enter default against these two Defendants. *See* Fed. R. Civ. P. 55(a).

5 Although GS Holistic asserts that it served Mr. Ward on April 14, 2023 (*see* Mot.
6 ¶ 2 (citing 4/14/23 Aff.)), there is no evidence in the record that it ever did so. The April
7 14, 2023 affidavit of service refers only to service of Vape Savvy through Mr. Wilson,
8 and the August 27, 2023 affidavit of service refers only to Mr. Stanifer. (*See* 4/14/23
9 Aff.; 8/27/23 Aff.) The court notes that on June 20, 2023, it (1) granted GS Holistic's
10 motion to extend the deadline to serve Mr. Ward, (2) ordered GS Holistic to file proof of
11 service by August 16, 2023, and (3) warned GS Holistic that failure to timely file proof of
12 service could result in the dismissal without prejudice of its claims against Mr. Ward.
13 (6/20/23 Order (Dkt. # 10) at 2-3.) Nevertheless, it appears that GS Holistic did not
14 comply with the court's order. (*See generally* Dkt.) Accordingly, the court ORDERS GS
15 Holistic to show cause, by no later than **February 16, 2024**, why the court should not
16 deny its motion for entry of default against Mr. Ward and dismiss its claims against Mr.
17 Ward without prejudice for failure to effect timely service. The Clerk is DIRECTED to
18 renote the motion (Dkt. # 13) for **February 16, 2024**.

19 Dated this 12th day of February, 2024.

20 

21 JAMES L. ROBART
22 United States District Judge